

BUREAU OF LAND MANAGEMENT

WESTERN COLORADO DESERT ROUTE OF TRAVEL DESIGNATIONS

PUBLIC HEARING

Taken on May 2, 2002  
6:00 O'Clock P.M.

At Hilton San Diego Mission Valley  
901 Camino Del Rio South, Carmel Room  
San Diego, California

Before Janet B. White, RMR, Certified Realtime Reporter  
CSR No. 1879

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APPEARANCES

FACILITATOR, BUREAU OF LAND MANAGEMENT:  
MICHAEL TROST

ENVIRONMENTAL COORDINATOR OF THE BUREAU OF LAND  
MANAGEMENT:  
LYNNETTE ELSER

FIELD MANAGER:  
GREG THOMSEN

OUTDOOR RECREATION PLANNER:  
ARNOLD F. SCHOECK

1

2

San Diego, California

3

6:15 O'Clock P.M,

4

May 2, 2002

5

6 MR. TROST: If you would all grab a seat right  
7 now, we'll try to get started.

8

9 Good evening, ladies and gentleman. Thank you  
10 all for coming.

11

12 I would like to welcome you to the Western  
13 Colorado Desert Route of Travel Scoping Meeting. My name  
14 is Michael Trost. I work for BLM, in the El Centro  
15 Office, and I'll be your facilitator this evening.

16

17 For general housekeeping, I'm not real sure  
18 where the bathrooms are.

19

20 (Indicated by unidentified speaker.)

21

22 MR. TROST: Thank you. Now I know.

23

24 And the drinking fountains are -- anybody know?

25

26 (Indicated by unidentified speaker.)

27

28 MR. TROST: Okay, thanks.

29

30 I'm going to review the agenda this evening. We  
31 started a little late hoping that maybe a few more folks  
32 would show up.

33

34 Let's see. I'll do the introductions, and then  
35 for approximately 30 minutes, we'll have the panel

1 presentation, which will be Greg Thomsen, from the  
2 El Centro Field Office, who will give the welcome.

3 And then we'll have Arnold Schoeck, as the  
4 Project Lead, and he'll give the project description.

5 And also we will have Lynnette Elser, who is the  
6 Environmental Coordinator for the El Centro Field Office,  
7 and she'll give you a quick synopsis of the EA and NEPA  
8 process.

9 If you wish to make any comments this evening,  
10 you need to fill out that little green speaker card, and  
11 so far, I haven't received any. So, if any of you wish  
12 to speak this evening, I need to get this back from you.  
13 You'll have plenty of time. You just --

14 I'll take that one. Thank you, Terry.

15 Okay. We're getting started. Now we're  
16 talking. Okay.

17 Also, you should have found at the desk, as you  
18 came into this room, a form for your written comments.  
19 That can be handed in at any time between now and May  
20 31st. So the comment period has been extended from May  
21 17th to May 31st.

22 That gives you 29 days from this evening to get  
23 your comments in and get those submitted to be part of  
24 your -- of the administrative record.

25 The purpose of these scoping meetings is to

1 solicit input from you, the public, on various  
2 alternatives, potential impacts, and the extent of  
3 analysis that could be -- excuse me -- that should be  
4 addressed in the Western Colorado Desert Route of Travel  
5 Plan.

6 And at this time, I would like to begin our  
7 presentation with Greg Thomsen, Field Manager of the  
8 El Centro Field Office.

9 MR. THOMSEN: I'd like to also welcome you. For  
10 a lot of us up here as well as a number of you, that  
11 seems to becoming a way of life for the last four weeks  
12 now with the dunes meetings and last Tuesday night in  
13 El Centro with the meeting on this project. So we really  
14 appreciate your persistence and for bearing with us both  
15 here and in Borrego. That's a lot of meetings, and a  
16 lot of meetings these days.

17 As Mike said, the purpose of the meeting tonight  
18 is a scoping meeting on the Environmental Assessment to  
19 update the California Desert Plan for the Western  
20 Colorado Desert for the Route of Travel Designations.

21 And during the meeting, we're going to spend, as  
22 he said, about a half hour trying to give you an update  
23 or a briefing as to what the project is, and then we're  
24 here to hear from you either tonight or through the  
25 scoping process.

1           What the scope of the project is, is the public  
2 land managed by BLM, Imperial, and Western Imperial  
3 County, which is basically everything to the west of the  
4 sand dunes.

5           What the scope does not include are lands that  
6 are not managed by BLM, and it also doesn't include lands  
7 which have previously been identified as either totally  
8 open or totally closed to off-road vehicle use, since  
9 those have already been designated.

10          The current route designation that you are  
11 seeing on the maps back there is out of date. There have  
12 been several generations of route designations for this  
13 part of the California desert.

14          The most recent one that was started and not  
15 completed was in 1997, and there are various reasons that  
16 we need to update that.

17          So that's our project and our task for tonight  
18 and for the next several months.

19          We realize that routes of travel in the desert  
20 are certainly important as access, recreation, and a lot  
21 of uses, and we also realize that the desert has within  
22 in a lot of sensitive biological and cultural resources.

23          Some of the things that we'd like to hear from  
24 you, and some of the ideas that we'd like from you on  
25 several matters are: We'd like to know what sort of

1 land-use alternatives you think we ought to consider in  
2 this; we'd like to know which routes you think should  
3 either be open, closed or limited; and we'd like to know  
4 which areas you think there should be camping or  
5 parking.

6 We'd also like to know which cultural and  
7 natural resources that you are concerned about.

8 What are some of the impacts that you think that  
9 we ought to address?

10 So, really, we want you to address any concerns  
11 you have with this project. We'd like to hear from you  
12 so that we can factor those into the process.

13 As you all know, we're, at BLM, responsible for  
14 multi-use management, and that sometimes means  
15 conflicting uses, so that's our challenge, and it is  
16 quite a big challenge.

17 One of the key parts of that is public  
18 involvement, and that's why we're here tonight, and we  
19 hope that you are going to stick with us throughout this  
20 project.

21 So, once again, welcome, and thank you for being  
22 here.

23 And I'll turn it over Arnie to give you more  
24 details about the route of travel.

25 MR. SCHOECK: Good evening. I'm Arnold



1 Schoeck. Hopefully everyone can hear me.

2 I want to go over a couple of terms first. This  
3 is not going to be long.

4 We often hear the term, "off-highway vehicle,"  
5 and other times we use the term, "off-road vehicle."  
6 both of those terms are pretty much interchangeable, if  
7 you have seen some of the older documents, they have  
8 basically the same meaning.

9 Likewise, routes of travel is about the same as  
10 trails for off-road vehicles.

11 So, if we refer to trails or routes of travel,  
12 we are saying the same thing back and forth.

13 The other thing is right of travel and off-road  
14 vehicle designations. We're talking about designations  
15 for use by the general public. We're not people that are  
16 approved under some other type of authorization like a  
17 right-of-way holder.

18 The general public is also synonymous with the  
19 term casual use, which we often throw out too, and they  
20 mean pretty much the same thing.

21 Some of you are probably wondering how we  
22 arrived here and also where we are going. Some of you  
23 that have been involved with this for a long time also  
24 know that the history of all highway vehicle designations  
25 goes back to 1977, when the President signed the first of

1 a couple of Executive Orders that directed land  
2 management agencies to develop regulations to determine  
3 routes of travels which were causing major negative  
4 impacts to other resources, and to make decisions whether  
5 they should be open or not, or in some way limited.

6 As Greg mentioned, we're limiting this project  
7 and the scope to limited areas, not open nor closed  
8 areas.

9 And, within limited areas, because there are  
10 certain types of resources which may be fragile or  
11 sensitive in there, there is three types of designation  
12 we can do for a particular route -- or it can be segments  
13 of routes.

14 It can be open, and we might limit it in some  
15 form. And a couple examples of limiting that may be the  
16 season.

17 It could also be the type of vehicle, that,  
18 rather than open for sport utility vehicles, it may be  
19 only for motorcycles, or maybe just 48 inches wide for  
20 quads or something like that.

21 Actually, quads are a little bit wider.

22 The other thing would be for closed  
23 designations, and it would be closed for the general  
24 public to use.

25 From those regulations, and getting more to

1 where we are, there is a few of you who remember these  
2 terms that there was in the late '70's, the Interim  
3 Critical Management Plan or ICMP, for routes of travel  
4 desert-wide, which was pretty much adopted when the  
5 California Desert Plan was passed and incorporated in  
6 1980.

7 Now, the Desert Plan either was amended and  
8 called for periodic reviews and updates of the  
9 designations that were made.

10 That and other designations that were -- had  
11 been made then and also in the future, that's part of  
12 what we're involved with, because we are dealing with an  
13 update of previous designations.

14 In addition, there has also been in the  
15 California Desert District a Technical Review Team that  
16 was meeting for several years, and some of us were  
17 members of that and have that information from the public  
18 and what went into it.

19 Now, the history of this specific project, the  
20 Western Colorado Desert, some of the land which has been  
21 there, there has been over 20 plans and amendments in the  
22 California Desert Plan, and not each plan covered every  
23 inch, or every document has all 20, but this has been  
24 looked at pretty intensely over the years.

25 And in 1994, we started looking at updating the

1 designations of some. BLM made some proposals, and an  
2 Environmental Assessment was issued in 1995.

3           Leading up to that, there were public meetings  
4 that were actually workshops held in Glendale, El Cajon,  
5 El Centro, Riverside, and there were maps available for  
6 several weeks in each of those locations. And at that  
7 time, we were looking at both Imperial County and San  
8 Diego County.

9           We had a lot of comments on the proposal and  
10 response to those -- the plans we were proposing at that  
11 time.

12           That led to the team in our office to review  
13 what was going on, in both San Diego and Imperial County  
14 again, and we came up in 1997 -- and some of you have  
15 seen it, the proposal, and the Environmental Assessment,  
16 which is really thick, about an inch-thick document,  
17 to that.

18           Some procedural delays internally came up, and  
19 we never actually implemented or finalized those  
20 proposals.

21           Time passed, and we now have a need for new  
22 review, probably because of procedural changes. Among  
23 those was the National Management Strategy for Motorized  
24 Off-Highway Use on Public Lands, which was passed about a  
25 year ago, or adopted.

1           Two things happened. One, this was listed as  
2   having an endangered population, and the Fish and  
3   Wildlife Service identified a critical habitat. And  
4   large parts of this project area has the flat-tailed  
5   horned lizard habitat, and a strategy between agencies  
6   was adopted.

7           But the U.S. Fish and Wildlife Services is  
8   reconsidering whether that particular species should be  
9   listed as a threat species.

10          We have border-related issues that have changed  
11   since 1997, and other agencies that we deal with, either  
12   adjacent landowners, or they have certain access that go  
13   across our property, or land that we've managed, and they  
14   have changed what they are doing, so that's involved.

15          The process for current review or update is that  
16   we're going to have a scoping project -- which is what we  
17   are in right now, this project. And we're restricting it  
18   to just Imperial County, the part that was in San Diego  
19   County before -- because that's under a different  
20   management plan than the California Desert Conservation  
21   Plan, which had certain twists that were different and  
22   confusing, both, to some people, and definitely to people  
23   outside that, and we've separated them.

24          And when the Eastern San Diego County Resource  
25   Management Plan is developed in a few years, those

1 different routes will be reviewed and a lot of other  
2 issues at that time.

3           The area we're talking about is basically on the  
4 ease side and would be the Imperial Sand Dunes -- my  
5 memory has lapsed -- and I'll use the old name, the  
6 Southern Pacific Railroad. There are new names for it,  
7 but that's the basic boundary on the east side. On the  
8 north, you have the Riverside County line; on the west  
9 side is the Imperial San Diego County line; and on the  
10 south is the International Boundary.

11           And there we're talking probably 450,000 acres  
12 and approximately 1900 miles of routes there.

13           Now, during this phase, certainly tonight, and  
14 on throughout the commenting period, we would like you to  
15 identify issues that came up in 1997, which were how are  
16 vehicles used?

17           There are questions about the rights-of-way, you  
18 know, county, private?

19           We're really not doing anything that affects  
20 rights-of-way, especially by entities such as the county.  
21 Some of the county roads we do have designations, and  
22 that's because -- well, we don't want to affect what the  
23 county does or their authority and parameters.

24           By designating a route of travel means that at a  
25 future point, we can spend federal money for putting up a

1 kiosk or signs on that particular route. But it doesn't  
2 mean we're trying to take over what the County's Public  
3 Works departments is doing.

4 We're also interested in looking at it as more  
5 of a transportation system; how to get from one place to  
6 another, circulate around, private landowners, and  
7 some of the issues are some landowners don't want routes  
8 to go through their properties and these are specific  
9 problems with people. They may feel all right with  
10 crowds going through, but they don't want anyone to stop  
11 on their property.

12 These are the kind of things we consider, plus  
13 safety.

14 And going to the extreme, we have several ranges  
15 of Navy uses, and they fly over public lands, so while  
16 the Navy tells us -- or has told me that -- believe it or  
17 not -- sometimes things fall off those jets -- and that  
18 is a lot more common than we normally think -- And at the  
19 speeds that they are traveling, falling off a jet is  
20 deadly, like being hit by a bullet with a nut or a bolt,  
21 and certain areas they have certain safety concerns.

22 Now, you may have your own safety issues you  
23 would like to bring up, but I throw those out as a few  
24 examples of the type of issues that have come up in the  
25 past, but we're not trying to stifle or hinder you from

1 other issues that you may have.

2 We're going to be developing an aggregate  
3 scoping phase at the end of May, with proposals and  
4 Environmental Assessment.

5 As far as the team, we'll be looking for route-  
6 specific comments. We look at public meetings as a  
7 partnership. We share present things, and we don't  
8 always catch everything, and part of the partnership is  
9 if you see something you disagree with or think maybe  
10 we're wrong, we are looking for the feedback from you  
11 and so that both of us are involved, the public and the  
12 agency, as a whole.

13 Outside the public domain, we'll be doing  
14 coordination with various agencies, such as Anza-Borrego  
15 State Park, Vehicle Recreation, adjacent landowners to  
16 us, and we try to implement consistency with their plans.

17 And I know Anza-Borrego is in the process of  
18 updating theirs, and we will deal with them and other  
19 agencies.

20 We will have consultations with agencies where  
21 we are required to do so, such as Fish and Wildlife,  
22 regarding endangered species just as the big horn sheep.

23 In late summer, we are expecting to come up with  
24 a proposed designation Environmental Assessment  
25 available for your comments.



1           We are looking for 45-day review and comment  
2   period, and, in January of 2003, we're planning on having  
3   a Decision of Record where we'll have our decisions.

4           And, with that, I would like to introduce  
5   Lynnette Elser, Environmental Coordinator, who will go  
6   into the environmental aspects of the project.

7           MS. ELSER: Hi. Thank you for coming to our  
8   meeting tonight.

9           We're going to go over the NEPA process, and  
10   NEPA stands for the National Environmental Policy Act.

11           Some of you have been involved in the NEPA  
12   process with us from the Imperial Sand Dunes Project.  
13   The process for that project is very different than the  
14   process for the route of travel.

15           The reason that the process is different is  
16   because, for the sand dunes, BLM has determined the  
17   project is likely to have a significant impact on the  
18   human environment, and the human environment includes  
19   natural and cultural resources as well as socioeconomic  
20   and environmental justice concerns for the routes of  
21   travel project.

22           Right now we are of the belief that this project  
23   will not have a significant impact on the human  
24   environment, so we're doing a little bit more streamline  
25   process, which involves doing an Environmental Assessment

1     instead of an Environmental Impact Statement.

2             As part of our NEPA process, we've published a  
3     Notice of Intent to do the Environmental Assessment in  
4     the Federal Register. That was published on March 25th.

5             We've notified people of our meetings and our  
6     intent to do the Environmental Assessment by newsletters  
7     that were mailed out on April 15th.

8             We placed legal ads in the "Yuma Daily Sun," the  
9     "Imperial Valley Press," and in the "Union-Tribune" on  
10    April 28th.

11            And we've also issued two news releases. One  
12    was the initial one that said we were going to do an  
13    Environmental Assessment, and the other was to update our  
14    schedule.

15            We're now in the middle of our Public Scoping  
16    Process. It was originally intended to end on May 17th,  
17    but we've now extended the Public Scoping Process until  
18    May 31st, and the extension was done at the request of  
19    the public to allow more time for your input.

20            This process does not result in a draft document  
21    being made available to the public. The first document  
22    that you are going to see is going to be a Final  
23    Environmental Assessment, which will have a Plan  
24    Amendment, and it will have an Unsigned Decision Record,  
25    which is called the FONSI, and FONSI stands for, "Finding

1 Of No Significant Impact."

2 That document will be handed out to the public  
3 for comment, and there will be a 45-day comment and  
4 protest period.

5 At the end of that 45 days, the comments will be  
6 considered, and the FONSI -- the Finding Of No  
7 Significant Impact -- decision will be rewritten to  
8 accommodate the comments, and then signed.

9 If we do find that there is a significant  
10 impact, then we would not be able to sign the FONSI. We  
11 would have to go through the entire Environmental Impact  
12 Statement, the EIS part of the NEPA process.

13 So right now, we're doing the EA. That could  
14 change later in the future.

15 When you do comment, there are several different  
16 ways to comment. You can comment by e-mail or sending us  
17 written letters to the addresses that were given to you  
18 in the handouts. You can hand in written comments at the  
19 meeting tonight or give oral comments tonight.

20 There are two ways that we cannot accept  
21 comments: One is by fax, and that's because we don't have  
22 the capability of receiving public comments on our fax  
23 machine and also continue with our regular business.

24 The other is by telephone. And that is because  
25 we don't have the ability to accurately translate those

1 messages down into a written message.

2 When you do comment, tell us what alternatives  
3 you would like us to consider. Right now we don't have  
4 developed alternatives, and we want to know what you want  
5 us to consider for potential alternatives.

6 Let us know the routes that you want designated  
7 as open, closed or limited; let us know why; let us know  
8 what you use the specific routes for.

9 If you do wish to have a route designated as  
10 limited, tell us which limitations you would want,  
11 whether it was a vehicle type or seasonal or some other  
12 type of limitation.

13 Tell us what other land uses you would like us  
14 to consider, such as camping and parking.

15 Tell us the natural, the cultural resources you  
16 are concerned about and what impacts you would like us to  
17 analyze, and include what cumulative impacts you would  
18 like us to analyze.

19 Remember in your comments that the scope of this  
20 project is only BLM-managed lands that are in Imperial  
21 County, that are west of the sand dunes, and that are not  
22 classified as open or closed.

23 Now I'm going to turn the meeting back to the  
24 facilitator, Mike.

25 MR. TROST: Thank you, Lynnette.

1           I just want to touch base on the parking  
2   situation. Everybody's tickets here can be validated so  
3   there is no cost to you. Make sure, if you haven't  
4   already done so, to get a stamp or validation from our  
5   folks out front. That will let you out of here for  
6   free.

7           Let's see where we're at now.

8           We've arrived at the public comment portion of  
9   this meeting. If you haven't filled out one of these  
10  green cards, that is necessary so you can have oral  
11  comments this evening.

12           UNIDENTIFIED SPEAKER FROM AUDIENCE: May I make a  
13  request?

14           MR. TROST: Yes.

15           UNIDENTIFIED SPEAKER FROM AUDIENCE: Since there  
16  are just a few of us with public comments, which will be  
17  short, can we maybe take a short break to study the maps  
18  a little better, and maybe our comments would be more  
19  effective?

20           MR. TROST: Yeah, we can give you a ten-minute  
21  break to go over the maps.

22           Be aware those are '97 maps, I'm just told.

23           UNIDENTIFIED SPEAKER FROM AUDIENCE: A follow-up  
24  question. Do you have 8 and a half by 11 sheets of those  
25  maps that we can take with us and that we can study in

1 order to help develop written comments?

2 MR. TROST: Greg, do you want to answer that?

3 MR. THOMSEN: What we're going to do is to  
4 provide a set of maps, and we are hoping to provide  
5 enough sets so people can share them. We're trying to  
6 have it out by next week, and they will be at a scale  
7 that people can use on the ground. Right now we're --  
8 we're trying to figure that out, and there will be more  
9 detailed maps available as well.

10 There will be some things available on line  
11 tonight, but there is nothing available --

12 UNIDENTIFIED SPEAKER FROM AUDIENCE: Available  
13 off line or hard copy?

14 MR. THOMSEN: Hard copies will be available at  
15 our office and probably other locations over here and  
16 then to specific groups.

17 Like I say, we are hoping people can band  
18 together and share some of those.

19 MR. TROST: If you want to take ten minutes and  
20 take a look quickly at the maps. And, let's see what  
21 time is it now?

22 MR. THOMSEN: What we will do, Arnie will be in  
23 the back, since he has been involved in this project  
24 throughout the various phases. He'll be back there to  
25 talk to you about the maps.

1           MR. TROST: At five until we will reconvene.

2           (Recess taken.)

3           MR. TROST: If you will all take your seats

4 again, please, we'll get started. We are just waiting for

5 Arnie. Is Mr. Schoeck in the building?

6           All right. We're ready to get started again. I

7 want to go over the ground rules for the speakers.

8           Speakers must address the panel.

9           Speakers are to provide comments on the issues

10 and possible alternatives. Questions cannot be

11 answered.

12           All speakers must respect time limits.

13           Please respect other people's comments and

14 points of view.

15           Please be aware your time is not transferable.

16           Please address comments towards issues, not

17 individuals or groups.

18           And what we are going to do this evening is

19 start out with five minutes each for your -- for your

20 time allotted, and when you get down to 30 seconds left,

21 I will give you a subtle hint (indicating 30-second sign)

22 that you have 30 seconds to just kind of wrap up your

23 thoughts.

24           And it looks like we are going to have an

25 opportunity to go back and do the comment portion again,

1 so what we will do is take a short recess after everybody  
2 has had their first go-around, like five minutes, and  
3 keep it short, a short recess, and then we'll fill out  
4 the green cards again. If you wish to comment again,  
5 you'll have another opportunity.

6 So, let's go ahead and get started. Our first  
7 speaker this evening is going to be Ken Osborne.

8 And also, when you come up to the mike, could  
9 you please state your name and spell your last name for  
10 the court reporter, please.

11 MR. OSBORNE: I'm Ken Osborne, O-S-B-O-R-N-E. The  
12 only bad grade I got in my life, a "D," was in  
13 penmanship.

14 I'm a member of Tierra del Sol --

15 MR. TROST: See if the microphone is working.  
16 Turn it up a little bit. Thank you.

17 MR. OSBORNE: I'm a member of Tierra del Sol Four  
18 Wheel Drive Club, and I'm here to state a position for  
19 maximum access of the desert.

20 And seeing how this is a scoping period, I do  
21 not have specific recommendations to make, but I do have  
22 some issues that I would like to make recommendations for  
23 the guidelines of the plan.

24 I would like to have the -- I would like for  
25 there to be maximum availability of trails for off-road



1 recreational use, use by responsible off-roaders.

2           One of the applications of this is there needs  
3 to be guidelines that are enforceable guidelines by the  
4 BLM to what is irresponsible behavior.

5           I would have another recommendation. Due to the  
6 wide area and nature of the lands that we're considering  
7 here, I think that open camping is the kind of camping  
8 that makes a lot of sense, not fixed campsites.

9           I think it is reasonable to have variation in  
10 the difficulty of trails. Not everything needs to be  
11 paved. This supports the notion of having challenges for  
12 off-road recreational access.

13           I think the idea of corridors that are roads  
14 which traverse environmentally sensitive areas, that  
15 makes good sense. This is something that causes balance  
16 to happen among the conflicting -- conflicting users.  
17 The concept of a corridor giving access is -- is an  
18 example of doing that.

19           Another thing that I would like to see is  
20 mechanisms in the plan for making changes as time  
21 proceeds. This would include the ability to identify new  
22 trails; this would include the accountability for  
23 decisions that are made over periods of time for closing  
24 specific trails.

25           I would like to see there be a

1 process identified in the plan for contesting the closure  
2 of specific trails.

3 And the final closing comment is that I think  
4 the interests of the desert protection is best served by  
5 informed, actual users of the desert, and not folks that  
6 are remote spectators.

7 So thank you for this opportunity to chat.

8 MR. TROST: Thank you, Ken. The next speaker is  
9 John Stewart.

10 MR. STEWART: Good evening. My name is John  
11 Stewart. I am with the Tierra Del Sol Four Wheel Drive  
12 Club, and my understanding was that this is a scoping  
13 period to look at route designation.

14 I would like go on record that I'm kind of  
15 disappointed that we do not have maps available tonight  
16 or during the scoping meeting to review and make comments  
17 from those maps right now -- you know, right here.

18 Within the areas that -- that this plan looks  
19 like you will be covering -- and again, we have limited  
20 information about what is really intended for this area.

21 There is quite a mix of state lands and private  
22 lands, and especially in the area of the hills north of  
23 S-22 and west of Highway 86.

24 In fact, there is almost minimal BLM lands up in  
25 that area, yet your route designation appears to be going

1 up into that area.

2 Now, historically that area has been used and  
3 managed as a open recreation area, and I'm extremely  
4 concerned about if you try to designate routes in that  
5 area, what kind of an impact it will have on the  
6 recreational opportunities.

7 There is also the area south of S-22, between  
8 S-22 and 78, which is also BLM land that is managed by  
9 the State Parks, I guess under a limited arrangement, and  
10 yet, if that is going to be formally transferred to the  
11 California Department of OHV park there, it really  
12 doesn't make much sense to establish a route designation  
13 and a plan for that area if it no longer is going to be  
14 within BLM control.

15 And when you get down towards the southern area,  
16 the area around Pointed Gorge and Shell Canyon, that is  
17 recently subject to some emergency closures, and there  
18 are several roads that have historically been used for  
19 sightseeing, for virtually -- you know, for access into  
20 that area which are now lost because of a claimed  
21 environmental, you know, conflict as a sensitive area, I  
22 would like to see that, before these roads are formally  
23 closed, some kind of a scientific study be performed that  
24 either refutes or affirms that this is an environmental  
25 sensitive area, and that that closure is warranted.

1           And then if the closure is warranted, let's look  
2   at, rather than being a complete year-round closure,  
3   being a seasonal closure for a certain period of time,  
4   and something like, you know, three or four months, like  
5   other areas.

6           Now, I'm also interested in keeping the fact  
7   that this is desert lands and that open camping be  
8   allowed throughout it.

9           Now, I would like the opportunity or the option  
10   of having open camping with lower disbursed camping, but  
11   I would also like to have the fact that realizes that we  
12   need to have some kind of controls put in place.

13           And one control -- one point I would like to see  
14   is some strategic locations where dumpsters are available  
15   for the open camping so that at least the option of  
16   people leaving trash in a dumpster rather than scattered  
17   throughout the desert is available so that -- you know,  
18   let's support the open camping, but I would also like to  
19   see some strategic location of dumpsters in the areas.

20           So, thank you.

21           MR. TROST: Thank you, John. The next speaker  
22   is Julie Allen.

23           MS. ALLEN: Good evening. My name is Julie  
24   Allen, and I'm Vice Chair of the San Diego Off-Road  
25   Coalition. I'm also here representing the AMA,

1 American Motorcyclists Association.

2 I have to say I think it is a wrong decision to  
3 go with the EA as opposed to an EIS. I think that there  
4 is going to be a huge impact to humans, a socioeconomic  
5 impact, user impact, and so forth through this route  
6 designation process.

7 Of course, where we're coming from, we want it  
8 all open. We want everything open, and unless there is a  
9 scientific proven reason to close it. I don't think an  
10 EA is going to provide that science.

11 I think we need full-on credibility, with  
12 science and studies done before any route is closed to  
13 human access, because we deserve -- we deserve access to  
14 our lands.

15 Oh, specifically -- and here again, the previous  
16 gentleman said, "I'm not ready to make specific comments  
17 about specific routes because the maps are not adequate  
18 for to us do that," so in general, the property that is  
19 adjacent to the existing SBRA, that's under SBRA  
20 management, when you are considering route designations  
21 in that area, I hope that you will keep in mind that it  
22 is in proximity to an existing open OHV area, so it would  
23 be like the best place to have the most open route  
24 designations, you know, of anywhere else that you might  
25 consider.

1           I think that's it. If you have any questions of  
2 me, you know how to reach me. Thanks.

3           MR. TROST: Thank you, Julie.  
4 Terry Weiner, please.

5           MR. WEINER: Hello. My name is Terry Weiner,  
6 W-E-I-N-E-R. I'm here as Conservation Coordinator of  
7 Desert Protective Counsel to see that this is working the  
8 way it is supposed to.

9           I don't want to repeat the comments I made  
10 Tuesday night in El Centro, but I will say that, as far  
11 as access issues go, we need to address how many miles of  
12 routes are necessary for access for recreational  
13 purposes, not maximum access just for access.

14           And it really makes sense to me, before you go  
15 ahead and designate routes, that you have to do surveys  
16 on all the cultural resources that are out there and that  
17 haven't been surveyed yet, for how can you possibly make  
18 a decision when you don't know what you are going to be  
19 impacting exactly?

20           We do know that there are threatening endangered  
21 species out there, and those will have to be taken into  
22 account.

23           And I would still like to see an overlay of  
24 flat-tailed horned lizard strategy, in that this area is  
25 such a vital habitat for -- the most vital habitat for

1 the flat-tailed horned lizard.

2 But the main thing we need -- all of us need for  
3 this scoping process is the maps of routes on the ground  
4 before 1982.

5 My understanding of the Desert Conservation Area  
6 Plan is that any routes formed after 1982 are not legal  
7 routes, and therefore, they must be closed and  
8 rehabilitated.

9 And I have comments that will be submitted for  
10 the Desert Protective Counsel after we look at the 1997  
11 EA and after we see aerial surveys before and after  
12 1982.

13 Thank you.

14 MR. TROST: Thank you, Terry.

15 Brian Jennings.

16 MR. JENNINGS: Hi. My name is Brian Jennings.

17 That's J-E-N-N-I-N-G-S.

18 And I'm just here -- well, I'm a member of the  
19 Sierra Club, and I'm here on behalf of myself, I guess.

20 I'm kind of new to the issues, so I'm going on  
21 mainly what I've learned here tonight.

22 And one of my main concerns is that there seems  
23 to be a predetermination that we are going to come out  
24 with -- after we study this, we are going to have a FONSI  
25 -- Finding Of No Significant Impact -- and I thought we

1 might -- it just sounded to me -- maybe I'm wrong -- that  
2 we already know that's what is going to happen, and I  
3 think that might be something that we would have after we  
4 had studied this. So, I just detected a little, you  
5 know, predetermined conclusion on that.

6 Other than that, I guess I would second the  
7 point that we need an EIS instead of an EA because it  
8 seems like a little more science would help there.

9 And the last thing I guess I have to say is I  
10 second the whole idea of the maps, and if they are going  
11 to come out maybe next week, that we can get our hands on  
12 them, and then we would then able to go out and try to  
13 figure out which routes these are going to be designated  
14 as, and that's a pretty short time to be able to do that  
15 and comment -- by the 30th, is it?

16 So I don't know whether there can be an  
17 extension once the maps are available -- and that's  
18 assuming that the '97 maps are satisfactory rather than  
19 the '80 maps, 1980 maps, which it really likes we ought  
20 to be looking at instead.

21 And that is about all I got for the first round.  
22 Thanks.

23 MR. TROST: Thank you, Brian.

24 The last speaker that I have a speaker card for  
25 -- and I'll apologize up front -- it looks like Pat



1 Flanson. If you can -- if you can say your name and  
2 spell it for the court reporter, we would appreciate it.

3 MS. FLANAGAN: Sorry for my handwriting. That's  
4 Pat Flanagan, F-L-A-N-A-G-A-N. And I'm with the  
5 California Wilderness Coalition.

6 And I have to admit to being not new to the  
7 desert. I've been out in that area since the late '70's,  
8 but new to this particular issue.

9 And I have not seen older maps nor have I seen  
10 earlier editions to see what were the good plans that  
11 were put together that may or may not have been  
12 implemented.

13 So I think it is important, although you're  
14 building cumulative from history, you can assume  
15 everybody who is involved in it today is part of that  
16 history. So that it is important and essential that if we  
17 were to actually go along with something -- which I feel  
18 in that area would be extreme, such as open camping, or  
19 to leave broad-based trails there, that I would need a  
20 lot more information than is currently available to me.

21 One is maps, historical maps, so that we know  
22 where we started and where we are today.

23 Plus copies of former EA's, or EIS's, with the  
24 idea that I could find out whether or not they were ever  
25 implemented.

1                   And that to me are the most important pieces so  
2   that I can adequately do my job to comment.  
3                   Thank you.  
4                   MR. TROST: Thank you, Pat.  
5                   Edie Harmon.  
6                   MS. HARMON: Edie Harmon, and I wrote some  
7   questions on a sheet, but I have a lot more.  
8                   And one of the first ones was I am used to a  
9   protest period coming after a record of decision, not  
10   before a record of decision, and I'm wondering did I hear  
11   that correctly?  
12                  MR. TROST: You need to put your mike down.  
13   Thank you.  
14                  MS. HARMON: Did I hear correctly that the  
15   protest is the same time as the comment period before a  
16   record of decision? And I just -- I don't know.  
17                  It says you are not going to answer questions,  
18   but --  
19                  MR. TROST: Lynnette will answer.  
20                  MS. ELSER: With the EA, there is not a record  
21   of decision. It is a FONSI -- the Finding Of No  
22   Significant Impact -- and what happens is when you are  
23   given the Environmental Assessment, there will be a draft  
24   FONSI, and the FONSI will say BLM chooses alternative,  
25   whichever one.

1           And then it will have, "We find that this  
2   alternative has no significant impact." And it would be  
3   on the human environment, the culture and natural  
4   resources, socioeconomic concerns, environmental justice.  
5   It cannot have any impacts on anything.

6           If it has impacts on any one of those, then the  
7   FONSI cannot be signed.

8           But you would be given that, and that FONSI is  
9   the Decision of Record you are given in draft, with the  
10   Environmental Assessment, and you have the protest period  
11   after that.

12          And then it is signed.

13          Ordinarily, if it is not a land use change or a  
14   land use plan, the public doesn't get the opportunity to  
15   comment on the Environmental Assessments, and that's  
16   because you are not allowed to have a significant impact.

17          But because this is a land use amendment, then,  
18   that's the reason you have the protest period.

19          MS. HARMON: To protest to the local or to the  
20   state director, or what -- what form is the protest?

21          MS. ELSER: We will probably have public  
22   meetings, I'm assuming, and when we give you the  
23   Environmental Assessment, the Plan Amendment and Draft  
24   FONSI, we would give you the directions with those. And  
25   we would also give you notification on the process.

1           I'm not sure that it has been established, but  
2 my guess is it would probably be public meetings like  
3 this, and then written comments would be accepted by our  
4 office.

5           MS. HARMON: Okay. And I would echo those  
6 statements about the EIS, because my understanding is  
7 that there has already been significant damage to  
8 archeological and cultural resources, especially on the  
9 west side of irrigated agriculture, and unless there is  
10 going to be profound and very drastic route closures and  
11 rehabilitation, that the situation is bad and  
12 deteriorating, and that that would warrant an EIS.

13           And I'm sure your own archaeological resource  
14 staff are hearing concerns.

15           Based on what I've seen over the years, I would  
16 strongly urge that the camping be in restricted areas,  
17 and I think you can go back to the BLM 1985 plan for it  
18 where, in some places, because people were allowed to  
19 camp 25 feet from the edge of the road, that you had some  
20 places, and then up to a 400-feet-wide corridor.

21           There need to be areas that are probably  
22 designated as more appropriate for camping than other  
23 areas because some areas are extremely sensitive, both in  
24 terms of archeological and cultural resources and  
25 wildlife habitat.

1           Part of the area is critical habitat, listed as  
2   a critical habitat for the Peninsula or Big Horn Sheep,  
3   and other areas important for the flat-tailed horned  
4   lizard.

5           I don't know, but some of the washes in the  
6   areas leading to the designated critical habitat for  
7   desert pupfish, they are probably already areas you  
8   really don't want just camping anywhere, because the off-  
9   site impacts could be significant for wildlife resources  
10   that BLM has agreed to and is mandated to manage, whether  
11   it is in terms of a management decision like the  
12   conservation agreement for flat-tailed horned lizard or  
13   agreements with the Fish and Wildlife Service.

14           If you are going to -- whatever the route  
15   designation is going to be there has to be meaningful.

16           The posting of signs that stay posted, I would  
17   encourage the signage be for routes that are open, and if  
18   the signs disappear and are shot up and gone, then the  
19   area is automatically closed, which encourages people to  
20   leave the signs in.

21           There has been significant problems with signage  
22   both in the wilderness area and in some limited use areas  
23   where, in some areas, I've been with BLM staff who  
24   estimated as many as 50 percent of the signs were gone or  
25   damaged.

1           And it is a tremendous amount of work and  
2   expense for BLM or volunteers to put these signs in, and  
3   if the public really wants to use the area and respects  
4   the area, those signs will stay, and BLM will not have to  
5   replace that.

6           I've also seen areas where BLM had done some  
7   restoration and rehab work with the California  
8   Conservation Corps, and that work was damaged and  
9   destroyed, and it looked as if it had been intentional.

10          I was with Dallas Meeks (phonetic) when we  
11   discovered new routes of travel put in, and that, again,  
12   shows a lack of respect for public lands, and the work  
13   that the agencies and people in its employ had put into  
14   managing and taking care of the land -- That's all? My  
15   30 seconds are up?

16          Maybe I'll get another chance, and I will submit  
17   written comments. Thank you.

18          MR. TROST: Thank you, Edie.

19          That's all the speaker cards I have at the  
20   moment. I want to take a five-minute recess. If you  
21   want to speak again, fill out another card and get it to  
22   us. So we'll take a five-minute break -- just five, and  
23   get back. I don't want to lose anybody.

24          (Recess taken.)

25          MR. TROST: Arnie Schoeck, can you take your

1 seat, please. Get ready to get started again. Another  
2 first-time speaker, Jerry Canning.

3 MR. CANNING: Thank you. My name is Jerry  
4 Canning, C-A-N-N-I-N-G. I'm here representing myself as  
5 an avid user of the deserts.

6 A couple things I want to make sure this project  
7 addresses -- and I'm sure most at BLM understand this --  
8 that the County of Imperial, I believe, recently  
9 proclaimed their acceptance and adoption of RS2477, the  
10 hundred-year-old law regarding open roads.

11 So I think it is very important that this  
12 project addresses that proclamation as well as the -- the  
13 aspects that are called for by that rule.

14 I believe the plan should subscribe to maximize  
15 the open land that is still there and to maintain and  
16 maximize as best as possible the open roads that are  
17 currently open.

18 I haven't heard anybody tonight speaking  
19 anything about or regarding mine claims or rock hounds,  
20 but, obviously that part of the county is very popular  
21 with people that are interested in looking at rocks, rock  
22 formations, and mines, and so it is important that routes  
23 be considered with that in mind.

24 More importantly is, it probably kind of lends  
25 its way towards the project as probably wants ti be doing

1 more an EIS as opposed to an assessment.

2 Most important is that the project have a  
3 process -- a process in place, so that when roads are  
4 being designated, that they're being done so based on  
5 facts and actual information, not hearsay or assumptions.

6 For instance, if someone says, "I hear something  
7 is happening over there; therefore, we should close that  
8 road," we should not be doing that.

9 We should be basing this based on scientific  
10 information, and that would include obviously scientific  
11 information regarding the flat-tailed horned lizard as  
12 well as the Peninsula sheep.

13 So, again, base it on scientific facts and  
14 information as opposed to hearsay and assumption.

15 Also, my group, I would emphasize we will  
16 maintain an open type of camping situation. This area is  
17 fragile in nature, and we would not support a condensed  
18 or high density of camping that might more appropriately  
19 be in other areas in the desert.

20 And lastly, also the plan needs to have a  
21 process so it can evolve and change. Obviously, if it is  
22 going to a five-year, six-year, or ten-year plan, there  
23 are going to be changes and needs during that period of  
24 time, and there needs to be a specific process in place  
25 to address those changes so that the public can be



1 involved as an ongoing and evolving basis.

2 Thanks a lot.

3 MR. TROST: Thank you, Jerry.

4 Edie Harmon.

5 MS. HARMON: Just a few things to follow up on.

6 The last thing that I think is going to be

7 really important as part of this plan is to assess the

8 staffing that it is going to take to implement the plan

9 and to enforce the plan -- the staffing to implement and

10 enforce both in terms of numbers of people or types of

11 positions and the cost.

12 And I would urge the agency, in the strongest

13 possible terms, that when holiday weekends come that

14 staffing not be diverted from other areas and everybody

15 sent to the dunes.

16 I think the staff that are familiar with

17 resource areas assigned to those areas should be in those

18 areas during the periods of heaviest use, which is

19 typically long holiday weekends.

20 And I think if you make information available on

21 the staffing needs and the budget needs, not just for

22 this plan but for all the other mandatory or optional

23 components of the program, and the Imperial resource

24 area, the public can support your budget, its requests to

25 the district, the state, and to Washington.

1           And I know that BLM for too long has been under-  
2 funded and understaffed, and you have positions that need  
3 to be filled.

4           And if we know what those positions are, how  
5 many, and what the cost is, we can do better at  
6 supporting your needs. So I think that that's very  
7 important.

8           Going back to something that was stated earlier,  
9 I think it is important for not only looking at what were  
10 inappropriate uses -- I can't remember the exact  
11 phraseology that was used -- but, anyway, there need to  
12 be fines set that are meaningful and enforceable and  
13 upheld by federal magistrates when there are serious  
14 violations and infractions, because I think meaningful  
15 fines discourage future violations, because that word  
16 gets around.

17           And I understand that that's been pretty  
18 effective in national parks and places like Anza-Borrego  
19 State Park; that there is better compliance, and may be  
20 also better staffing.

21           But I think the -- the signs are up. You don't  
22 see signs missing when you go to Joshua Tree National  
23 Park or to Anza-Borrego State Park.

24           It is the responsibility of the user to know the  
25 regulations. There are signs that are posted to say

1     that, so you don't have to have information all over the  
2     place.

3             But there are rangers that do enforce things,  
4     and even if it is not posted someplace where you can see  
5     it, it is your responsibility to know.

6             And I think that, given the number of users of  
7     public lands managed by BLM, and the acres of lands you  
8     have, and the responsibility we have to get to sort of  
9     that position while using public lands, that it is the  
10    responsibility of the users to know the regulations.

11            And I think that would go a long way in helping  
12    BLM. And it is obvious from the speakers tonight that  
13    many people are members of organizations that go out and  
14    use public lands, and I think those organizations can do  
15    a lot in sharing information as to what the regulations  
16    and restrictions are that apply to public lands and  
17    different areas of public lands.

18            I would also -- I think you need to be very  
19    careful when you use the word limited. There is limited  
20    use areas and limited use on roads, and it gets very  
21    confusing having the word limited mean so many different  
22    things.

23            It might be that the time has come to find words  
24    that better mean what you are actually -- the message you  
25    are trying to get across to the public, because limited

1 use area means limited to existing posted routes of  
2 travel that are posted open, or whatever, and then you  
3 are talking about limited to certain times of seasons;  
4 limited with respect to routes of travel meaning  
5 something different than the same word when it is used to  
6 describe areas of critical environmental concerns or some  
7 other sensitive resource concerns.

8 We all know what open means and closed means,  
9 but limited is more confusing.

10 So, thank you.

11 MR. TROST: Thank you, Edie.

12 Julie Allen.

13 MS. ALLEN: Give us a microphone; we're never  
14 done. Julie Allen, Vice-Chair of the San Diego Off-Road  
15 Coalition.

16 I would add a couple other ideas about how or  
17 which routes would be good for our use of off-road  
18 recreational use, and I wanted to bring them up and have  
19 you give them more attention.

20 And that would be the washes, for instance, are,  
21 by their very nature, extremely appropriate for off-road  
22 use since they are naturally designed and, you know, have  
23 washed through, shall we say, for lack of a better word.

24 I also would like to look at routes and not  
25 close them due to under use or overuse.

1 Under use, closure, has become a popular  
2 management tool, and that just forces use on other areas  
3 more concentrated to make them become overused.

4 Overused areas, I would hope that you look at  
5 ways to mitigate the use before closing or limiting it.

6 I understand there is a lot of different things  
7 that we can try to do perhaps with temporary reroutes,  
8 and that we can work that into the plan.

9 Also, I would hope that you would not close a  
10 route just because it doesn't seem to go anywhere.  
11 Getting there is half the fun, you know. We don't have  
12 to have a destination on the other end. Getting there,  
13 turning around, and coming back is what we like to do.

14 Lastly, I haven't heard too much tonight, but at  
15 the last BLM meeting, I heard a lot about the delicate  
16 and fragile ecosystem of the desert, and I just -- I  
17 don't know where that comes from.

18 But I have to give my opinion, and that is that  
19 the desert is the harshest ecosystem on the planet, from  
20 going from below freezing temperatures during the winter  
21 to scorching temperatures in the summer, flash floods,  
22 sandstorms, so anything that lives out there, you know,  
23 and survives out there, species and so forth, have  
24 evolved to exist in this condition.

25 So when you are looking at critical habitat and

1    so forth, I hope it wouldn't be just on word of mouth and  
2    so forth, but on some real good science which backs this  
3    up.

4                I think mother nature has a much more huge  
5    impact on these areas than we do.

6                Thanks very much.

7                MR. TROST: Thank you, Julie.

8                John Stewart.

9                MR. STEWART: John Stewart, with Tierra Del Sol  
10   Four Wheel Drive Club.

11               One other point to keep -- or some other points  
12   to keep in mind when designating routes of travel is,  
13   this is a multiple-use area, and by the multiple use, it  
14   also includes equestrians as well as the hikers as well  
15   as motorized use.

16               I would encourage that the concept of multiple  
17   use be kept in mind while looking at routes of travel and  
18   that we will be able to provide multiple-user  
19   recreational opportunities.

20               And there is another issue that when you are  
21   looking at routes of travel, you have to keep in mind the  
22   Americans with Disabilities Act.

23               In other words, if you have designated routes,  
24   that's fine unless that will not allow people with  
25   disabilities to have a recreational opportunity.

1           As you start reducing or limiting motorized  
2   access and making just strictly a non-vehicular or  
3   non-motorized access, now you are putting a significant  
4   impact on people with disabilities, especially  
5   wheelchair-bound or others that cannot get up and  
6   physically make the hikes up through some of these  
7   areas.

8           So, that's an argument for keeping a significant  
9   number of motorized routes available because there are  
10   limited opportunities right now, and there is a  
11   significant number of people with disabilities that are  
12   depending on motorized recreation.

13           And if you are -- when you consider the aspects  
14   of restrictions or limitations on roads, if you are  
15   looking at any of these restrictions, they have got to be  
16   definable, understandable, and in concert with other  
17   areas, not only BLM, but Forest Service areas and state  
18   areas.

19           In other words, having a mixed bag of  
20   definitions and management concepts of what all is legal  
21   here not legal there leads to conflicts and leads to  
22   problems enforcing the regulations for all the agencies,  
23   with all the land management agencies involved.

24           So, any of your limitations and restrictions  
25   have got to be consistent across the whole spectrum of

1 land management agencies.

2 And if you are looking, you know, at some of the  
3 other BLM concepts you have looked at, like user loads,  
4 the permitting systems, these -- while they are nice and  
5 sound good in concept, it is actually very difficult to  
6 implement, and there really no checkpoints that, you  
7 know, ingress or egress into these areas make it very  
8 difficult to manage or count, when you are at a certain  
9 user load.

10 So that's about it. Thank you.

11 MR. TROST: Thank you, John.

12 I've gone through all our speaker cards at this  
13 point, and that would conclude our public comment period.

14 I would like to have closing statements by  
15 Arnold Schoeck.

16 MR. SCHOECK: I want to emphasize, again, that  
17 this process is a participation type of --

18 MR. TROST: Just a second. We have one more.

19 MS. FLANAGAN: Again, Pat Flanagan. And I would  
20 say that I'm in agreement with the idea that we should  
21 only base our decisions on science or informed  
22 observation.

23 Science does imply frequently manipulation, that  
24 type of thing, and we are not after that, but that we  
25 should have professionals who are observing and giving



1 their informed observations for what's happening In the  
2 field, and that we elect to have an adaptive management  
3 plan so that over time, if we see something wonderful is  
4 happening or something deleterious, we make adjustments.  
5 And I think that is the best way to act.

6 I think we are going to find that we will  
7 require an EIS and not an EA, and -- just the way it is,  
8 and one of the reasons that may be is already we know  
9 that we have significant cultural and biological impacts.

10 But I would also be very interested in learning  
11 about the beginning of this process, back in the late  
12 '70's, early '80's, and what is the level of increase of  
13 usage?

14 And without that knowledge of increase of usage  
15 and how it is going up in percentage, I don't think we  
16 can anticipate that this can go on and increase forever,  
17 given our birth rate and growth rate of San Diego, which  
18 has been doing a lot of increasing.

19 So perhaps, although it may seem difficult to  
20 actually instigate and implement a process by which you  
21 would sign up for usage on certain weekends, it may  
22 absolutely have to be that way depending upon usage.

23 We need to know that. Thank you.

24 MR. TROST: Thank you, Pat.

25 Has everybody had their second opportunity that

1 would like to speak this evening?

2 Okay. Then we will turn it over to Arnold

3 Schoeck.

4 MR. SCHOECK: As I started to say -- but we're  
5 all glad to have comments and this participation and so  
6 getting these comments is what we are interested in.

7 We do have -- and we are going back to the  
8 previous public meetings prior to 1977 and the comments  
9 we received before, but we're also hoping to have new  
10 comments that you may have.

11 I want to emphasize right now, until the end of  
12 May the 31st, we're accepting comments that deal with the  
13 scoping, the issues, and alternatives.

14 And while we're accepting route specific  
15 comments, that does not end the time you can send route  
16 specific comments, and we're talking mainly about the  
17 scoping phase.

18 So you keep on sending them until we come out  
19 with the EA Proposal, and then there is another formal  
20 public comment period.

21 But keep on sending me route-specific  
22 information.

23 My e-mail address is on there, and I don't know  
24 if my phone number is there, but I'm the clearing house  
25 for that, and we are receiving them.

1           And I would like to also mention that  
2   periodically we're going to post on the El Centro website  
3   information as we go along, and change -- I should say  
4   change the progress on where we are and what's upcoming,  
5   so for those on the Internet, we have that.

6           And we will be having some other newsletters as  
7   we make progress through here.

8           I would like to finally say thank you to all of  
9   you for your comments, and if any of you are like me, you  
10   will go out the door and think, "I should have said  
11   that," and that's why we have the written comments.  
12   And also for those that don't like to speak in front of  
13   the public. So, feel free to write us.

14           And I would also like to thank everyone for  
15   respecting the meeting rules while speaking. And with  
16   that, good night.

17           MS. ALLEN: Please, with all the comments  
18   regarding an EIS, requiring that instead of an EA,  
19   at what point would you make that decision?

20           Do you think it is going to go all the way  
21   through the EA process, or you should be considering --  
22   when will you decide?

23           MR. TROST: Lynnette or Greg, do you want to  
24   answer that question?

25           MS. ELSER: Because we're involved in another

1 NEPA situation, we have requirement that we finish the  
2 Environmental Assessment by January of 2003.

3 If we finish it, and it shows that there is a  
4 significant impact, then we have to go to a judge and  
5 tell him that we could not designate the routes of travel  
6 because we couldn't meet the need for requirements, and  
7 we have to go through and do the Environmental Impact  
8 Statement.

9 If we start doing an Environmental Impact  
10 Statement now, we won't be able to complete the process  
11 of January of 2003, and we can be in violation of a court  
12 agreed settlement.

13 We believe that it is very likely we may have to  
14 do an Environmental Impact Statement, but because of the  
15 court-agreed settlement, we're going through this process  
16 and trying to do our very best to make the agreement.

17 MS. ALLEN: Now I get it. Okay. Thank you very  
18 much. That explains it a lot better.

19 MR. SCHOECK: I just want to clarify that the  
20 court settlement is only affecting time frames that's  
21 involved. You know, we were going to be going through  
22 the process, like I said, which started a long time ago.

23 And we've been working on doing it, and so it is  
24 not that the court settlement is making us do this. We  
25 were working on this already.

1 MS. ALLEN: Because of their time limit, you  
2 probably have chosen a shorter, you know, easier,  
3 smoother path, you know, rather than doing the full --  
4 which probably is appropriate for this type of planning.

5 And I'm not blaming you; I just understand the  
6 driving force now.

7 MR. THOMSEN: That's a factor; however, we were  
8 doing an Environmental Assessment back in 1997, and just  
9 because it is an Environmental Assessment doesn't mean it  
10 is a skimpy document. It is about that thick  
11 (indicating), and I think there was a pretty good  
12 analysis in it.

13 So I still feel -- and I know we've been hearing  
14 that EIS means better science, but I'm not sure that's  
15 necessarily the case.

16 But there are certainly different regulatory  
17 requirements in an EIS in terms of the public comments  
18 period and things like that.

19 So we're going to continue with the process  
20 we're on now, you know, and when we get to the  
21 Environmental Assessment to be out for public review,  
22 that's probably a good chance to look at where we are and  
23 that the analysis really meets the requirements that we  
24 need to do.

25 So I don't think we got to get hung up in EIS

1     versus an EA, looking at how good is the analysis, but,  
2     I'm guessing that probably at that point when we come out  
3     with a public document would be a good chance to sort of  
4     take a step and look at how we're doing.

5             MR. STEWART: Aside from the maps, are there any  
6     other public documents that we can review from the  
7     previous work?

8             MR. THOMSEN: Well, there is the 1997  
9     Environmental Assessment, which the document was  
10    completed, but a decision on it was not, so, that's -- it  
11    is a good document, and there is a limited number of hard  
12    copies available, and we'll make those available -- or we  
13    can. And I guess we'll look to see.

14            Anyway, I don't know if we can post it on the  
15    Web or not. That would be another -- that certainly is a  
16    good source of information for all of us, really, because  
17    we're not starting from scratch.

18            There has been a lot of good work done before.

19            MR. TROST: Okay. I would like to conclude our  
20    formal meeting this evening.

21            I have been informed the panel will be around  
22    later and hang around a little bit for questions  
23    one-on-one with them, but we will conclude the official  
24    meeting.

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State of California)  
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County of San Diego)

I, Janet B. White, Certified Shorthand Reporter  
in and for the State of California, do hereby certify  
that the foregoing Western Colorado Desert Route of  
Travel Designations Public Meeting for the Bureau of Land  
Management was reported by me in shorthand at the time  
and place herein named; that said hearing was then  
transcribed through computer-aided transcription, and the  
foregoing transcript contains a true record of said  
meeting.

I do further certify that I am a disinterested  
person and am in no way interested in the outcome of this  
action or connected with or related to any of the parties  
in this action or to their respective counsel.

In witness whereof, I have hereunto set my hand  
on this 7th day of May, 2002.

\_\_\_\_\_  
Janet B. White  
C.S.R. No. 1879